

PATENT
CUSTOMER NUMBER 22,852
Attorney Docket No. 01064.0011-05000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9/m
Official

In re Application of:

Richard LEVY

Serial No.: 09/359,809

Filed: July 23, 1999

For: LUBRICANT COMPOSITIONS
AND METHODS

Group Art Unit: 1714

Examiner: M. Medley

FAX RECEIVED

MAY 3 2001

GROUP 1700

Assistant Commissioner for Patents
Washington, D.C. 20231

05/05/2001 DATE: 05/05/2002 09359809
01 FC:128 MIDDLE 1890.00 CR

RESPONSE

The April 27, 2001 Interview Summary faxed to applicant's attorneys indicated applicant had to provide a separate record of the substance of the interview.

Applicant's attorneys agree with the Interview Summary in that the Examiner advised them on April 27, 2001 that upon reconsideration and a conference with Supervisory Primary Examiner Vazu Jagannathan the Examiner would withdraw the Restriction Requirement made in Paper No. 7, dated November 6, 2000 and an Office Action on the merits would follow immediately.

Applicant's attorney requested that the Examiner indicate this in writing since applicant had to file a response to the November 6, 2000 restriction on or before Monday, May 7, 2001 with a five-month extension of time in order to prevent the application from becoming abandoned. The Examiner agreed to do this. Accordingly

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005

05/05/2001 DATE: 05/05/2002 09359809
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applicant's attorneys have treated the November 6, 2000 Office Action as withdrawn based on the April 27, 2001 telephone interview and the Interview Summary, and that they do not have to file a response with a five-month extension of time on or before Monday, May 7, 2001 to prevent the application from becoming abandoned.

If the Examiner disagrees in any way with this understanding, applicant's attorneys respectfully request that she contact them by telephone immediately so that they may take action to keep the application pending.

If filing this response requires an extension of time pursuant to 37 C. F.R. § 1.136 and payment of an extension fee or other fee, applicant's attorneys request such an extension and payment of any fee due from their deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: Robert J. Eichelburg
Robert J. Eichelburg
Reg. No. 23,057

Dated: May 3, 2001

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office, to the Attention of Examiner Margaret B. Medley, facsimile number (703) 872-9310, on the date shown below:

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

Robert J. Eichelburg
Robert J. Eichelburg

May 3, 2001